

Labor, Health and Human Services, and Education: Highlights of FY2010 Budget and Appropriations

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Summary

This report tracks FY2010 appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED). This legislation provides discretionary funds for three major federal departments and 13 related agencies. The report summarizes L-HHS-ED discretionary funding issues but not authorization or entitlement issues.

On May 7, 2009, President Obama submitted the FY2010 budget request to Congress, including \$163.8 billion in discretionary L-HHS-ED funds. The comparable FY2009 amount was \$160.1 billion, enacted mainly through the Omnibus Appropriations Act, 2009 (P.L. 111-8, Division F). The request was an increase of \$3.7 billion (2.3%) over FY2009. On July 22, 2009, the House Committee on Appropriations reported H.R. 3293 (H.Rept. 111-220), its proposal for FY2010 L-HHS-ED appropriations. The House passed the bill, amended, on July 24, approving \$165.6 billion in discretionary funds, \$1.9 billion over the request and an increase of \$5.6 billion (3.5%) over FY2009. The Senate Committee on Appropriations reported its version of H.R. 3293 on August 4, 2009 (S.Rept. 111-66), recommending \$165.4 billion in discretionary funds for L-HHS-ED, \$1.6 billion over the request and an increase of \$5.3 billion (3.3%) over FY2009. Two continuing resolutions (CRs) provided temporary FY2010 funding until enactment of P.L. 111-117, the Consolidated Appropriations Act, 2010, on December 16, 2009. Division D of the consolidated act provided \$165.8 billion for discretionary L-HHS-ED programs, an increase of \$5.8 billion (3.6%) over FY2009.

Some L-HHS-ED agencies and programs have supplemental funding available in FY2010 from the American Recovery and Reinvestment Act of 2009 (ARRA, P.L. 111-5). ARRA provided \$124.2 billion in FY2009 emergency supplemental appropriations for discretionary L-HHS-ED programs, with funds generally available for obligation through September 30, 2010.

Department of Labor (DOL). FY2009 discretionary appropriations for DOL were \$12,411 million. For FY2010, the President requested \$13,280 million, \$869 million (7.0%) more than funding for FY2009. P.L. 111-117 provided \$13,534 million for DOL, an increase of \$1,123 million (9.0%) over FY2009. Workforce Investment Act (WIA) programs received \$5,545 million, an increase of \$232 million (4.4%) above the \$5,314 million provided for FY2009.

Department of Health and Human Services (HHS). FY2009 discretionary appropriations for HHS were \$71,385 million. For FY2010, the President requested \$71,758 million, \$373 million (0.5%) more than the FY2009 amount. P.L. 111-117 provided \$73,958 million in discretionary funding for HHS, an increase of \$2,573 million (3.6%) over FY2009.

Department of Education (ED). FY2009 discretionary appropriations for ED were \$63,533 million. For FY2010, the President requested \$64,692 million, \$1,159 million (1.8%) more than the FY2009 amount. P.L. 111-117 provided \$64,278 million in discretionary funding for ED, \$744 million (1.2%) more than FY2009.

Related Agencies. FY2009 discretionary appropriations for Related Agencies were \$12,748 million. For FY2010, the President requested \$14,028 million, \$1,280 million (10.0%) more than the FY2009 amount. P.L. 111-117 provided Related Agencies with \$14,076 million in discretionary funding, an increase of \$1,328 million (10.4%) over FY2009.

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Most Recent Developments

President's Budget Submitted

On May 7, 2009, President Obama submitted his FY2010 budget to Congress, including a request for \$163.8 billion in discretionary funds for programs covered in the Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) appropriations bill.

House Bill H.R. 3293 Reported and Passed

On July 22, 2009, the House Committee on Appropriations reported H.R. 3293 (H.Rept. 111-220), its proposal for FY2010 L-HHS-ED appropriations. The bill was debated in the House on July 24 and was passed, with several amendments, by a vote of 264-153. The bill would have provided \$165.6 billion in discretionary funds for L-HHS-ED.

Senate Version of H.R. 3293 Reported

On August 4, 2009, the Senate Committee on Appropriations reported its version of H.R. 3293 (S.Rept. 111-66). The committee recommended \$165.4 billion in discretionary L-HHS-ED funds.

Continuing Appropriations Resolution (CR) Enacted (P.L. 111-68, Division B)

On October 1, 2009, the President signed into law H.R. 2918, the FY2010 Legislative Branch Appropriations Act (P.L. 111-68), which also, in Division B, provided temporary funding at the FY2009 rate of operations for most government agencies for the period October 1 through October 31, 2009, unless regular FY2010 appropriations measures were enacted sooner.

FY2010 Continuing Resolution Extended (P.L. 111-88, Division B)

On October 30, 2009, the President signed into law a second CR, Division B of P.L. 111-88, which amended P.L. 111-68 to extend the temporary funding to December 18, 2009. Division B had been added on October 28 to the conference report on Interior-Environment appropriations (H.R. 2996, H.Rept. 111-316).

Consolidated Appropriations Act, 2010 Enacted (P.L. 111-117, H.R. 3288)

On December 8, 2009, a conference report was filed for a consolidated FY2010 appropriations act, covering six of the seven regular appropriations measures that had not yet been enacted (Defense appropriations were enacted separately). H.R. 3288, the Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act, 2010, was used as the vehicle for the Consolidated Appropriations Act, 2010. The conference agreement and explanatory statement (H.Rept. 111-366) had a division for each of the six appropriations measures. Division D of the agreement provided the FY2010 L-HHS-ED appropriations, including \$165.8 billion in discretionary funding. The conference report was adopted by the House on December 10 and by the Senate on December 13, and was signed by the President on December 16, 2009, as P.L. 111-117.

Table 1 summarizes the legislative status of FY2010 L-HHS-ED appropriations.

Table I. Legislative Status of L-HHS-ED Appropriations, FY2010

Subcommittee Markup		Conference Report Approval							
House	Senate	House Comm.	House Passage	Senate Comm.	Senate Passage	Conf. Report	House Passage	Senate Passage	Public Law
7/10/09 ^a	7/28/09 ^b	7/22/09 ^c H.R. 3293, H.Rept. 111-220	7/24/09 ^d	8/4/09 ^e H.R. 3293, S.Rept. 111-66					10/1/09 ^f FY2010 CR, P.L. 111-68, Div. B
Consolidated Appropriations Act, 2010 (H.R. 3288) ^g						12/8/09 H.Rept. 111-366	12/10/09	12/13/09	12/16/09 P.L. 111-117

- a. The House Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Appropriations began FY2010 hearings on March 18, 2009. The Subcommittee marked up its version of the FY2010 L-HHS-ED appropriations on July 10, 2009, approving it by a voice vote.
- b. The Senate Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Appropriations began FY2010 hearings on May 13, 2009. The Subcommittee marked up its version of the FY2010 L-HHS-ED appropriations on July 28, 2009, approving it by a voice vote.
- c. H.R. 3293: The House Committee on Appropriations approved its version of the L-HHS-ED appropriations for FY2010 on July 17, 2009, by voice vote, and ordered the bill reported. Subsequently, H.R. 3293 (H.Rept. 111-220) was introduced and reported on July 22, 2009.
- d. H.R. 3293: The House debated the bill on July 24, 2009, and passed it, amended, by a vote of 264-153.
- e. H.R. 3293: The Senate Committee on Appropriations approved its version of H.R. 3293 on July 30, 2009, by a vote of 29-1, and ordered the bill reported. Subsequently, H.R. 3293 (S.Rept. 111-66) was reported on August 4, 2009.
- f. P.L. 111-68: The FY2010 Continuing Appropriations Resolution, Division B of P.L. 111-68 (H.R. 2918), provided temporary FY2010 funding for L-HHS-ED activities for the period October 1, 2009, through October 31, 2009. A second CR, amending P.L. 111-68 to extend the temporary funding to December 18, 2009, was enacted as Division B of P.L. 111-88 (H.R. 2996), on October 30, 2009.
- g. H.R. 3288: The Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act, 2010 (H.R. 3288) became the vehicle for a six-bill Consolidated Appropriations Act, 2010, with the L-HHS-ED act as Division D. The conference report (H.Rept. 111-366) was filed on December 8, 2009; the House adopted it on December 10 by a vote of 221-202-1; the Senate adopted it on December 13 by a vote of 57-35; and President Obama signed it into law on December 16, 2009, as P.L. 111-117.

Note on Most Recent Data

In this report, unless stated otherwise, data on FY2009 and FY2010 appropriations are based on the December 9, 2009, table from the House Committee on Appropriations. The data for FY2009 appropriations primarily reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations, enacted March 11, 2009) and P.L. 111-5 (the American Recovery and Reinvestment Act of 2009, ARRA, enacted February 17, 2009). In addition, amounts for certain HHS programs reflect FY2009 funding provided by either the Consolidated Appropriations Act for FY2009 (P.L. 110-329, enacted September 30, 2008) or the Supplemental Appropriations Act, 2009, (P.L. 111-32, enacted June 24, 2009). The data for FY2010 reflect the President's budget request, House passage of H.R. 3293, the Senate committee recommendations on H.R. 3293, and enactment of P.L. 111-117, the Consolidated Appropriations Act, 2010.

In most cases, data represent net funding for specific programs and activities, and take into account current and forward funding and advance appropriations; however, all data are subject to additional budgetary scorekeeping. Except where noted, data refer only to those programs within the purview of L-HHS-ED appropriations, and not to all programs within the jurisdiction of the

relevant departments and agencies. Funding from other appropriations bills, and entitlements funded outside of the annual appropriations process, are excluded.

Overview

This report describes the highlights of President Obama's proposals for FY2010 appropriations for L-HHS-ED programs, as submitted to Congress on May 7, 2009, and the congressional response to those proposals. Discussions focus primarily on discretionary programs. The report does not follow specific funding issues related to mandatory L-HHS-ED programs—such as Medicare or Social Security—nor does it follow any authorizing legislation related to the President's budget initiatives. For a glossary of budget terms and relevant websites, see the **Appendix**, "Terminology and Web Resources."

The L-HHS-ED bill typically is one of the more controversial of the regular appropriations bills, not only because of the size of its funding total and the scope of its programs, but also because of the continuing importance of various related issues, such as restrictions on the use of federal funds for abortion, human embryonic stem cell research, and needle exchange programs. This bill provides discretionary and mandatory funds to three federal departments and 13 related agencies, including the Social Security Administration (SSA). Discretionary funding represents less than one-quarter of the total in the bill. Among the various appropriations bills, L-HHS-ED is the largest single source of discretionary funds for domestic (non-defense) federal programs (the Department of Defense bill is the largest source of discretionary funds among all federal programs).

This section presents several overview tables on funding in the bill, particularly discretionary funding, and discusses related issues such as 302(b) allocations and advance appropriations. Later sections provide details on individual L-HHS-ED departments and agencies.

Discretionary and Mandatory Funding: Program Level Appropriations and Current Year Appropriations

Table 2 summarizes the L-HHS-ED appropriations enacted for FY2009 and FY2010, including both discretionary and mandatory appropriations. The table shows various aggregate measures of L-HHS-ED appropriations, including the discretionary program level, current year level, and advance appropriations, as well as scorekeeping adjustments.

- **Program level discretionary appropriations** reflect the total discretionary appropriations in a given bill, regardless of the year in which they will be spent, and therefore include advance funding for future years. *Unless otherwise specified, appropriations levels in this report refer to program level amounts.*
- **Current year discretionary appropriations** represent discretionary appropriations in a given bill for the current year, plus discretionary appropriations for the current year that were enacted in prior years—for example, FY2010 appropriations that were enacted in the FY2009 act. As the annual congressional appropriations process unfolds, current year discretionary appropriations, including scorekeeping adjustments (see below), are measured against the 302(b) allocation ceilings (discussed later in this report). Note that media reports and comments from the Administration about appropriations activities typically cite figures representing the current year discretionary totals rather than the program levels in the bill.

- **Advance appropriations** are funds that will not become available until after the fiscal year for which the appropriations are enacted (for example, funds for certain education programs like Title I Part A Grants to Local Educational Agencies for the Education of the Disadvantaged that were included in the FY2009 act that could not be spent before FY2010 at the earliest).
- **Scorekeeping adjustments** are made to account for special funding situations, as monitored by the Congressional Budget Office (CBO).

Because appropriations may consist of mixtures of budget authority enacted in various years, both of the summary measures mentioned above are frequently used: program level appropriations and current year appropriations. How are these measures related? For an “operational definition,” program level funding equals (a) current year, plus (b) advances for future years, minus (c) advances from prior years, and minus (d) scorekeeping adjustments. Alternatively, current year funding is derived by taking the program level (total in the bill), subtracting the advances for future years, adding in the advances from prior years, and applying the scorekeeping adjustments. **Table 2** shows each of these amounts for discretionary funding, along with current year funding and program level funding for mandatory programs, and the grand total for L-HHS-ED.

Table 2. L-HHS-ED Appropriations Summary, FY2009-FY2010

(\$ in billions)

Type of Budget Authority	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Discretionary Appropriations							
Program level: current bill for any year	160.1	124.2	292.0	163.8	165.6	165.4	165.8
Current year: current year from any bill (after scorekeeping)	152.7	0	152.7	161.6	163.4	163.1	163.6
Advances for future years (in the current bill)	24.8	0	24.8	24.8	24.8	24.8	24.8
Advances from prior years (from previous bills)	21.3	0	21.3	24.8	24.8	24.8	24.8
Scorekeeping adjustments	-3.8	-124.2	-135.7	-2.2	-2.2	-2.2	-2.3
Current Year Discretionary and Mandatory Funding							
Discretionary (compare to 302(b) cap)	152.7	0	152.7	161.6	163.4	163.1	163.6
Mandatory	518.8	2.0	520.8	567.0	567.1	567.0	567.1
Total, current year	671.5	2.0	673.5	728.5	730.5	730.1	730.6
Program Level Totals of Funding for L-HHS-ED Bill, Any Year							
Discretionary program level	160.1	124.2	292.0	163.8	165.6	165.4	165.8
Mandatory program level	523.8	2.0	525.8	582.8	582.9	582.8	582.9
Grand total, any year	683.9	126.2	817.8	746.6	748.5	748.2	748.7

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). FY2009 Comparable column also includes FY2009 funding for LIHEAP provided by P.L. 110-329 (September 2008). FY2009 Total column also includes supplemental funding for Refugee Assistance and for Pandemic Influenza Preparedness provided by P.L. 111-32 (June 2009). Appropriations are given only for programs included in the annual L-HHS-ED bill.

Note: Details may not add to totals due to rounding. Both FY2009 and FY2010 mandatory amounts are estimates that are subject to adjustments after the close of their respective fiscal years. All amounts in the table are subject to change through the enactment of further supplementals and rescissions.

Discretionary Funding Trends, FY2002-FY2010

The L-HHS-ED appropriations bills include both mandatory and discretionary funds; however, the Appropriations Committees fully control only the discretionary funds. Mandatory funding levels for programs included in the annual appropriations bills are modified through changes in the authorizing legislation. Typically, these changes are accomplished through authorizing committees by means of reconciliation legislation, and not through appropriations committees in annual appropriations bills.

Table 3 shows the trend in discretionary budget authority enacted in the regular L-HHS-ED appropriations for FY2002 through FY2010. During the past nine years, L-HHS-ED discretionary funds have grown from \$127.2 billion in FY2002 to \$165.8 billion in FY2010, an increase of \$38.6 billion, or 30.3%.

Table 3. L-HHS-ED Discretionary Funding Trends, FY2002-FY2010

(budget authority in billions of dollars)

FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010
127.2	132.4	139.7	143.4	141.5	144.7	148.6	160.1	165.8

Sources: L-HHS-ED totals for FY2002-FY2005 discretionary budget authority are based on annual conference reports for L-HHS-ED appropriations and, therefore, may not be completely comparable from year to year. Subsequent years are based on tables from the House Committee on Appropriations: FY2006 total from the April 17, 2007, table; FY2007 total from the December 17, 2007, table; FY2008 total from the March 2009 table; and FY2009 total (increased by the LIHEAP funding) and FY2010 total from the December 9, 2009, table. FY2009 total reflects only regular L-HHS-ED appropriations, and does not include the supplemental funding from ARRA or from P.L. 111-32.

Discretionary Appropriations by Bill Title, FY2009-FY2010

The annual L-HHS-ED appropriations act typically includes five titles. The first three provide appropriations and program direction for the Department of Labor (Title I), the Department of Health and Human Services (Title II), and the Department of Education (Title III). Each of the three titles includes some sections of “General Provisions” for the department; they provide specific program directions, modifications, or restrictions that the appropriators wish to convey in bill language, not just in report language. Title IV covers funding for 13 related agencies, the largest of which is the Social Security Administration. Title V contains general provisions with broader policy application than those in the department titles. Occasionally, the act has one or more additional titles, which may be legislative (authorizing) language rather than appropriations provisions. The FY2008 L-HHS-ED appropriations act (Division G of P.L. 110-161) included a Title VI that provided for establishment of a National Commission on Children and Disasters, while the FY2009 L-HHS-ED appropriations act (Division F of P.L. 111-8) included the Afghan Allies Protection Act of 2009 (relating to special immigrant status of certain persons) as Title VI. The FY2010 act included only five titles.

Table 4 summarizes by title the program level discretionary spending that was provided for FY2009 and FY2010 L-HHS-ED appropriations and compares the program level totals with the current year discretionary totals.

**Table 4. L-HHS-ED Discretionary Funding by Bill Title,
FY2009-FY2010**

(\$ in millions)

	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Discretionary Appropriations, Program Level (total in bill for any year)							
Title I, Department of Labor	12,411	4,806	17,217	13,280	13,256	13,268	13,534
Title II, Department of Health and Human Services	71,385	21,917	101,034	71,758	73,722	74,054	73,958
Title III, Department of Education	63,533	96,224	159,757	64,692	64,674	63,962	64,278
Title IV, Related Agencies	12,748	1,203	13,951	14,028	13,989	14,067	14,076
Total discretionary, program level	160,077	124,150	291,959	163,758	165,640	165,350	165,845
Total Discretionary, Current Year from Any Bill (after scorekeeping adjustments)							
Total, current year	152,747	0	152,747	161,552	163,400	163,100	163,565

Sources: Amounts are based the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). FY2009 Comparable column also includes FY2009 funding for LIHEAP provided by P.L. 110-329 (September 2008). FY2009 Total column also includes supplemental funding for Refugee Assistance and for Pandemic Influenza Preparedness provided by P.L. 111-32 (June 2009). Appropriations are given only for programs included in the annual L-HHS-ED bill. Details may not add to totals due to rounding.

302(a) and 302(b) Allocation Ceilings

The Congressional Budget Act of 1974 (Titles I-IX of P.L. 93-344), as amended, provided for a two-stage process through which the maximum budget authority for annual appropriations acts is determined (the two stages are named after sections of the Budget Act). In the first stage, Congress establishes the *302(a) allocations*—the maximum spending totals for a given fiscal year that are allowed for each House and Senate committee with jurisdiction over spending legislation, including both authorizations and appropriations. This task is typically accomplished through the annual concurrent resolution on the budget, where spending totals are specified through the statement of managers in the conference report. In years when the House and Senate do not reach a budget agreement, these totals may be set through leadership arrangements in each chamber. The 302(a) allocations determine the spending totals for each of the various committees, including the total discretionary budget authority available for enactment in annual appropriations through the House and Senate Committees on Appropriations.

Congress reached agreement on the FY2010 budget resolution on April 29, 2009, when the Senate and the House agreed to the conference report (H.Rept. 111-89) accompanying S.Con.Res. 13. The resolution established 302(a) discretionary budget allocations to the Appropriations Committees of \$1,082.5 billion for the House and \$1,082.3 billion for the Senate. The resolution allowed the Budget Committees to increase those amounts if certain conditions relating to funding of specific programs were met. On June 3, 2009, the Budget Committees increased their 302(a) allocations by \$3,766 million to \$1,086.3 billion (House) and \$1,086.0 billion (Senate). Subsequent additional adjustments have been made by both committees. For the purpose of comparison, the 302(a) discretionary allocation originally agreed to for FY2009 was \$1,011.7 billion.

In the second stage of the annual congressional budget process, the House and Senate Committees on Appropriations separately establish the *302(b) allocations*—the maximum discretionary budget authority available to each of the 12 subcommittees for each annual appropriations bill. The total of these allocations must not exceed the 302(a) discretionary total. This process creates the basis for enforcing discretionary budget discipline, since any appropriations bill reported with a total above the ceiling is subject to a point of order. The 302(b) allocations can and often do get adjusted during the year as the various appropriations bills progress toward final enactment. **Table 5** shows the 302(b) discretionary allocations for the FY2010 L-HHS-ED appropriations determined by the House and Senate Committees on Appropriations, together with the comparable amount for the FY2009 appropriations. Both the 302(a) and 302(b) allocations regularly become contested issues in their own right.

Table 5. FY2010 302(b) Discretionary Allocations for L-HHS-ED

(budget authority in billions of dollars)

FY2009 Comparable	FY2010 House Allocation	FY2010 Senate Allocation	FY2010 Enacted
152.3	163.4	163.6	163.3

Sources: The FY2010 House allocation is based on H.Rept. 111-238, July 30, 2009; the FY2010 Senate allocation is based on S.Rept. 111-109, December 16, 2009; the FY2010 Enacted allocation, and the comparable amount for FY2009 budget authority, are based on the December 9, 2009, table from House Appropriations Committee.

Advance Appropriations

Advance appropriations occur when funds enacted in one fiscal year are not available for obligation until a subsequent fiscal year. For example, P.L. 110-161, which enacted FY2008 L-HHS-ED appropriations, provided \$420 million for the Corporation for Public Broadcasting (CPB) for use in FY2010. Advance appropriations may be used to meet several objectives. These might include the provision of long-term budget information to recipients, such as state and local educational systems, to enable better planning of future program activities and personnel levels. The more contentious aspect of advance appropriations, however, involves how they are counted in budget ceilings.

Advance appropriations avoid the 302(a) and 302(b) allocation ceilings for the current year, but must be counted in the year in which they first become available for obligation. This procedure uses up ahead of time part of what will be counted against the allocation ceiling in future years. For FY2002, President George W. Bush's budget proposed eliminating advance appropriations for federal discretionary programs, including those for L-HHS-ED programs. Congress rejected that idea, and the proposal has not been repeated. For more information, see CRS Report RS20441, *Advance Appropriations, Forward Funding, and Advance Funding*, by Sandy Streeter.

Department of Labor

FY2009 discretionary appropriations for the Department of Labor (DOL) were \$12,411 million. For FY2010, the Obama Administration requested \$13,280 million, \$869 million (7.0%) more than the FY2009 amount, as shown in **Table 6**. H.R. 3293, as approved by the House, included \$13,256 million in discretionary funding, an increase of \$845 million (6.8%) over FY2009. The Senate Appropriations Committee recommended \$13,268 million in discretionary funding, \$12 million more than approved by the House and an increase of \$857 million (6.9%) over FY2009. The FY2010 conference agreement, as enacted in P.L. 111-117, provided discretionary appropriations of \$13,534 million, an increase of \$1,123 million (9.0%) over FY2009.

Table 6. Department of Labor Discretionary Appropriations

(\$ in billions)

Funding	FY2009 Comparabl e	FY2009 ARRA	FY2009 Total	FY2010 Reques t	FY2010 House	FY2010 Senate Comm.	FY2010 Enacted
Appropriation s	12.4	4.8	17.2	13.3	13.3	13.3	13.5

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). Appropriations are given only for programs included in the annual L-HHS-ED bill. Amounts represent discretionary spending funded by L-HHS-ED appropriations; funds for mandatory programs are excluded.

Mandatory DOL programs were funded at \$2.7 billion for FY2010 and consist of Federal Unemployment Benefits and Allowances (\$1,818 million), the Black Lung Disability Trust Fund (\$300 million), Special Benefits for Disabled Coal Miners (\$214 million), Employment Standards Administration (ESA) Special Benefits (\$187 million), Advances to the Unemployment Insurance and Other Trust Funds (\$120 million), and administrative expenses for the Energy Employees Occupational Illness Compensation Fund (\$52 million).

Highlights

The following are some highlights for DOL of President Obama's FY2010 budget request, the House bill, the Senate Appropriations Committee's recommendations, and the conference agreement, as enacted in P.L. 111-117. See **Table 7** for details. All comparisons of funding levels with FY2009 appropriations are based on FY2009 regular appropriations only.

- The President requested \$3,257 million to administer the Unemployment Compensation program, an increase of \$424 million (14.9%) above the \$2,833 million provided for FY2009. The House, the Senate Appropriations Committee, and the conference agreement approved the President's request and provided the additional funding.
- The President requested \$5,544 million for Workforce Investment Act (WIA) programs, an increase of \$230 million over the \$5,314 provided for FY2009. The House approved an increase of \$203 million, while the Senate Committee approved an increase of \$201 million. The conference agreement provided \$5,545 million, an increase of \$232 million (4.4%).
- The President requested an additional \$51 million for the Occupational Safety and Health Administration (OSHA), which would have increased funding from \$513 million for FY2009 to \$564 million for FY2010. The House approved a \$42 million increase; the Senate Committee agreed to a \$49 million increase. The law provided \$559 million, a \$46 million (8.9%) increase over FY2009.
- The Administration requested \$228 million for the Wage and Hour Division, an increase of \$35 million above the \$193 million approved for FY2009. The House approved \$220 million, while the Senate Committee recommended \$226 million. The conference agreement provided \$225 million, an increase of \$32 million (16.7%).
- The President requested a \$3 million increase, from \$572 million to \$575 million, for Community Service Employment for Older Americans programs. The House approved a \$43 million increase. The Senate Committee agreed to the President's request of \$575 million. The law provides \$825 million, an increase of \$254 million (44.3%).
- The Administration proposed replacing the Community-Based Job Training Grants (CBJTG) program with a Career Pathways Innovation Fund. The Career Pathways program would continue support for community college education, but fund programs with a sequence of coursework leading to a career in a particular field. For FY2009, CBJTG was funded at \$125 million. The President requested \$135 million for the Career Pathways program. The House agreed to the President's request. The Senate Appropriations Committee recommended \$125 million. The conference agreement provided \$125 million for the Career Pathways Innovation Fund.

ARRA provided an additional \$4.8 billion in discretionary funding for FY2009, some of which will be obligated in FY2010. DOL developed program-specific plans for spending the money, indicating how much it expected to obligate in FY2009 and FY2010. The plans are available at <http://www.dol.gov/recovery>, together with other DOL Recovery Act reports.

DOL budget materials may be found at <http://www.dol.gov/dol/aboutdol/main.htm#budget>.

Detailed Appropriations Table

Table 7 shows the appropriations details for offices and major programs of DOL.

Table 7. Detailed Department of Labor Appropriations

(\$ in millions)

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
<i>Total Workforce Investment Act, Title I (WIA) (non-add)</i>	5,314	4,200	9,514	5,544	5,517	5,515	5,545
Employment and Training Administration (ETA)							
Training and Employment Services (TES)							
WIA Adult Training Grants to States	862	500	1,362	862	862	862	862
WIA Youth Training	924	1,200	2,124	924	924	924	924
WIA Dislocated Worker Assistance (DWA)	1,342	1,450	2,792	1,413	1,399	1,383	1,413
<i>DWA State Grants (non-add)</i>	1,184	1,250	2,434	1,184	1,184	1,184	1,184
<i>DWA National Reserve Community College initiative set aside (non-add) / Career Pathways Innovation Fund^a</i>	125	0	125	135	135	125	125
<i>DWA National Reserve, other (non-add)</i>	158	200	358	229	215	199	229
WIA Migrant and Seasonal Farmworkers	83	0	83	83	85	85	85
Other WIA and TES Activities	291	800	1,091	552	534	515	545
<i>TES subtotal</i>	3,626	3,950	7,576	3,834	3,803	3,799	3,829
Community Service Employment for Older Americans	572	120	692	575	615	575	825
Federal Unemployment Benefits and Allowances (mandatory)^b	959	0	959	1,818	1,818	1,818	1,818
State Unemployment Insurance and Employment Service Operations (SUI/ESO)							
Unemployment Compensation	2,833	0	2,833	3,257	3,257	3,257	3,257
Employment Service	724	400	1,124	724	724	725	725
<i>Employment Service State Grants (non-add)</i>	704	400	1,104	704	704	704	704
Foreign Labor Certification	68	0	68	68	68	68	68
One-Stop Career Centers	52	0	52	52	47	64	64

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Work Incentives Grants	17	0	17	0	0	0	0
<i>SUI/ESO subtotal</i>	3,695	400	4,095	4,102	4,097	4,114	4,114
Advances to Unemployment Trust Fund and other funds (mandatory)	422	0	422	120	120	120	120
ETA Program Administration	130	11	141	148	146	149	148
<i>ETA subtotal</i>	9,405	4,481	13,885	10,597	10,600	10,575	10,854
Employee Benefits Security Administration	143	10	153	156	154	156	155
<i>Pension Benefit Guaranty Corporation (non-add)</i>	445	0	445	464	464	464	464
Employment Standards Administration (ESA)							
ESA Salaries and Expenses	440	30	470	503	487	499	494
<i>Wage and Hour Division</i>	193	22	215	228	220	226	225
<i>Office of Labor-Management Standards (OLMS) (non-add)</i>	45	1	46	41	41	41	41
ESA Special Benefits (mandatory)	163	0	163	187	187	187	187
ESA Special Benefits for Disabled Coal Miners (mandatory)	244	0	244	214	214	214	214
ESA Energy Employees Occupational Illness Compensation Fund (Part B administrative expenses) ^c (mandatory)	50	0	50	51	51	51	52
ESA Black Lung Disability Trust Fund (mandatory)	2,823 ^d	0	2,823	300	300	300	300
<i>ESA subtotal</i>	3,720	30	3,750	1,256	1,239	1,251	1,247
Occupational Safety and Health Administration (OSHA)	513	14	527	564	555	562	559
Mine Safety and Health Administration (MSHA)	347	0	347	354	353	357	357
Bureau of Labor Statistics	597	0	597	612	612	611	611
Office of Disability Employment Policy	27	0	27	37	37	39	39

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Departmental Management							
International Labor Affairs	86	0	86	91	91	94	93
WIA Job Corps	1,684	250	1,934	1,701	1,705	1,711	1,708
Veterans Employment and Training	239	0	239	255	257	255	256
Departmental Management, other	310	22	332	348	343	347	346
<i>Departmental Management subtotal</i>	2,320	272	2,592	2,396	2,397	2,407	2,404
Working Capital Fund	0	0	0	0	0	0	0
TOTALS, DEPARTMENT OF LABOR							
Total Appropriations^e	17,071	4,806	21,877	15,970	15,947	15,959	16,225
Current Year Funding	14,552	4,806	19,358	13,462	13,439	13,451	13,717
One-Year Advance Funding	2,519	0	2,519	2,508	2,508	2,508	2,508

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). Details may not add to totals due to rounding.

- a. In his budget request for FY2010, the President proposed replacing the Community-Based Job Training Grants (CBJTG) program with the Career Pathways Innovation Fund. Congress accepted the change. The Career Pathways program will continue support for community college education, but fund programs with a sequence of coursework leading to a career in a particular field. In FY2009, CBJTG was funded under the Dislocated Worker National Reserve program. For FY2010, the Career Pathways program was funded as a national activity under the Workforce Investment Act (WIA).
- b. Federal Unemployment Benefits and Allowances consist of funding for benefits and training for workers under the Trade Adjustment Assistance (TAA) program.
- c. Before FY2009, appropriations for administrative and statutory activities under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) were in DOL, with some of the funding transferred to the Centers for Disease Control and Prevention (CDC) by interagency agreement. Starting in FY2009, CDC received direct appropriations (mandatory) for the activities; Part B administrative expenses remained in DOL.
- d. FY2009 appropriations for the Black Lung Disability Trust Fund include funds to repay advances from the U.S. Treasury.
- e. Appropriations totals include discretionary and mandatory spending and may be subject to additional scorekeeping and other adjustments.

Department of Health and Human Services

FY2009 discretionary appropriations for the Department of Health and Human Services (HHS) were \$71,385 million. For FY2010, the Obama Administration requested \$71,758 million, \$373 million (0.5%) more than the FY2009 amount, as shown in **Table 8**. As passed by the House, H.R. 3293 included \$73,722 million in discretionary funding, an increase of \$2,337 million (3.3%) over FY2009. The Senate Appropriations Committee recommended \$74,054 million in discretionary funding, \$332 million more than approved by the House, and an increase of \$2,669 million (3.7%) over FY2009. The FY2010 conference agreement, as enacted in P.L. 111-117, provided discretionary appropriations of \$73,958 million, an increase of \$2,573 million (3.6%) over FY2009.

Table 8. Department of Health and Human Services Discretionary Appropriations
(\$ in billions)

Funding	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Senate Comm.	FY2010 Enacted
Appropriations	71.4	21.9	101.0	71.8	73.7	74.1	74.0

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. See **Table 9** for more details on sources of FY2009 and FY2010 funding for HHS programs, including \$7.7 billion in non-ARRA supplemental funding. Amounts represent discretionary spending funded by L-HHS-ED appropriations; funds for mandatory programs are excluded, as are funds for the Food and Drug Administration (FDA) and the Indian Health Service (IHS). FDA and IHS are both agencies of HHS, but they are funded through other appropriations bills.

Mandatory HHS programs included in the L-HHS-ED act were funded at \$529.8 billion in FY2010, and consist primarily of Medicaid Grants to States (\$307.8 billion), Payments to Health Care Trust Funds (\$207.3 billion, including Medicare Part B and Part D), Foster Care and Adoption Assistance State Payments (\$7.4 billion), Family Support Payments to States (\$4.7 billion), and the Social Services Block Grant (\$1.7 billion). Note that some other large mandatory HHS programs are not funded through the L-HHS-ED act. The Children's Health Insurance Program (CHIP) and the Temporary Assistance for Needy Families (TANF) program receive their funding directly in authorizing statutes, while Medicare Part A is funded primarily through payroll taxes.

Highlights

The following are some highlights for HHS of President Obama's FY2010 budget request, the House bill, the Senate Appropriations Committee's recommendations, and the conference agreement, as enacted in P.L. 111-117. See **Table 9** for details. All comparisons of funding levels with FY2009 appropriations are based on FY2009 regular appropriations only.

- The President requested an additional \$92 million (54.0%) for nursing workforce programs, which would have increased funding from \$171 million for FY2009 to \$263 million for FY2010. The House agreed to the President's request. The Senate committee recommendation was \$217 million, \$47 million less than the House. The law appropriated \$244 million, \$73 million (42.6%) more than in FY2009.

- No funding was requested for the Health Care-Related Facilities and Activities account, which supported \$310 million in non-competitive grants in FY2009. The House provided \$179 million, the Senate committee recommended \$157 million, and the law appropriated \$338 million, \$28 million (8.9%) more than in FY2009.
- For the Centers for Disease Control and Prevention (CDC), the President requested an additional \$72 million (3.7%) for the Infectious Diseases programs, which would have increased funding from \$1,935 million for FY2009 to \$2,007 million for FY2010. The House approved an increase of \$82 million; the Senate committee recommended \$1,969 million, \$48 million less than the House. The law appropriated \$1,996 million, \$61 million (3.2%) more than in FY2009.
- The President requested a decrease in funding for CDC Buildings and Facilities of \$122 million (80.2%), from \$152 million to \$30 million. The House agreed with the proposed decrease. The Senate committee recommended \$108 million (a decrease of 28.5%), \$78 million more than the House and the request. The law appropriated \$69 million, \$82 million (54.4%) less than in FY2009.
- The President requested a \$442 million increase (1.5%) for the National Institutes of Health (NIH), which was funded at \$30.3 billion in FY2009. The House approved an increase of \$942 million (3.1%), \$500 million above the request, for a total of \$31.3 billion in FY2010. The Senate committee recommended the same level as the request, \$30.8 billion. The law appropriated \$31.0 billion, \$692 million (2.3%) more than in FY2009. NIH had also received \$10.4 billion in stimulus funding through ARRA, about half of which remained to be obligated in FY2010.
- At the Centers for Medicare and Medicaid Services (CMS), a Fraud and Abuse Control Initiative, first funded in FY2009, was proposed for a \$113 million increase (57.1%), from \$198 million to \$311 million. The House bill, the Senate committee, and the conferees agreed to that amount. The President also requested a \$160 million increase (4.8%) for CMS Program Management, from \$3.3 billion in FY2009 to \$3.5 billion. The House substantially agreed, providing an increase of \$158 million, while the Senate committee recommended an increase of \$126 million, \$32 million less than the House. The law appropriated \$3.5 billion, \$165 million (5.0%) more than in FY2009.
- The President requested a decrease of \$1.9 billion (37.3%) in discretionary funding for the Low-Income Home Energy Assistance Program (LIHEAP), which was funded at \$5.1 billion in FY2009. A legislative proposal was offered to provide additional mandatory LIHEAP funding if energy prices increased significantly. Both the House bill and the Senate committee disapproved the decrease to \$3.2 billion and recommended that discretionary funding be maintained at \$5.1 billion. The law provided \$5.1 billion, the same as in FY2009.
- The House, the Senate committee, and the conferees agreed with the President's request to increase funding for Head Start by \$122 million (1.7%), from \$7.1 billion in regular FY2009 appropriations to \$7.2 billion. The program had also received \$2.1 billion in stimulus funding through ARRA.
- No funding was requested for the Community-based Abstinence Education program in the Administration for Children and Families (ACF); the program received \$95 million in FY2009. Instead, \$110 million was requested in ACF for a new Teenage Pregnancy Prevention initiative. The House approved the

proposal as requested. The Senate committee agreed to elimination of the ACF abstinence education program, but placed a new \$100 million Teen Pregnancy Prevention program in the Office of the Secretary, to be administered by a newly established Office of Adolescent Health. The conference agreement adopted the Senate approach, providing \$110 million to the Office of the Secretary for the new initiative. Both committee reports, as well as the conferees' explanatory statement, discussed an emphasis on funding evidence-based programs.

- Within the Office of the HHS Secretary, the Public Health and Social Services Emergency Fund (PHSSEF) supports a number of preparedness, response, and related public health security functions. Overall funding for the PHSSEF account, which received \$1.4 billion in FY2009, was increased in the President's request by \$1.3 billion to \$2.7 billion. The House approved \$2.1 billion, \$578 million below the request. The Senate committee recommended a total of \$2.6 billion for the Fund, \$57 million less than the request. The law appropriated \$2.3 billion for the PHSSEF, \$909 million (65.0%) more than in FY2009.
- Among its activities funded within the PHSSEF, HHS has responsibility for procuring and stockpiling emergency medical countermeasures. To better align programmatic and financial responsibilities, the President and Congress agreed to transfer all of the remaining balances in the Project BioShield Special Reserve Fund (SRF) from the Department of Homeland Security (DHS) to HHS. The funds were originally appropriated as multi-year money to DHS in FY2004, to remain available until FY2013. According to the FY2010 L-HHS-ED conference report, "As of October 31, 2009, data from HHS indicate that \$3,033 million remains unobligated and available in the Project BioShield SRF" (H.Rept. 111-366, p. 1045). As one portion of countermeasures funding, the President requested availability in FY2010 of \$1,264 million of the SRF money. The House approved \$764 million, choosing to transfer \$500 million of the BioShield money to NIH. The Senate committee agreed with the request for \$1,264 million. The law provided \$960 million for the activities, and transferred \$304 million to NIH.
- Also within the PHSSEF, pandemic influenza preparedness was funded at \$585 million in regular FY2009 appropriations. The President and Congress agreed to decrease the amount by \$231 million, to \$354 million for FY2010. HHS also has \$7.7 billion in supplemental FY2009 funds for pandemic influenza contingencies, available until expended, that were provided in P.L. 111-32 in June 2009.
- L-HHS-ED acts since FY1998 have barred federal funding for needle and syringe exchange programs set up to prevent HIV infection in intravenous drug users. The House bill as passed replaced the ban with a restriction on such programs being located within 1,000 feet of facilities used by children. The Senate bill as reported retained the prior ban. The conference agreement prohibited funding for such programs in any location that local public health or law enforcement agencies determine to be inappropriate (§505 of P.L. 111-117, Division D).

ARRA provided HHS with an additional \$21.9 billion in discretionary funding for FY2009, including \$10.4 billion for NIH. Unlike most regular appropriations, ARRA made the stimulus funds available for obligation for two years, until the end of FY2010. HHS agencies developed implementation plans for spending the money, including expected obligations in FY2009 and

FY2010. The plans are available at <http://www.hhs.gov/recovery/reports/index.html>, together with subsequent HHS Recovery Act reports on the funding.

HHS budget materials may be found at <http://www.hhs.gov/asrt/ob/docbudget/>.

Abortion: Funding Restrictions

Annual L-HHS-ED appropriations regularly contain restrictions that limit—for one year at a time—the circumstances under which federal funds can be used to pay for abortions. Restrictions on appropriated funds, popularly referred to as the “Hyde Amendments,” generally apply to all L-HHS-ED funds. Medicaid is the largest program affected. As evidence of the perennial volatility of this issue, these provisions have been subject to periodic revision during the annual consideration of L-HHS-ED appropriations. From FY1977 to FY1993, abortions could be funded only when the life of the mother was endangered. The 103rd Congress modified the provisions to permit federal funding of abortions in cases of rape or incest. The FY1998 L-HHS-ED appropriations, P.L. 105-78, extended the Hyde provisions to prohibit the use of federal funds to buy managed care packages that include abortion coverage, except in the cases of rape, incest, or life endangerment. The FY1999 L-HHS-ED appropriations, P.L. 105-277, continued the FY1998 Hyde Amendments with two added provisions: (1) a clarification to ensure that the restrictions apply to all trust fund programs (namely, Medicare), and (2) an assurance that Medicare + Choice plans (now Medicare Advantage) cannot require the provision of abortion services. No changes were made from FY2000 through FY2004.

The FY2005 L-HHS-ED appropriations, P.L. 108-447 (H.Rept. 108-792, p. 1271), added a restriction, popularly referred to as the “Weldon Amendment,” that prevents federal programs or state or local governments that receive L-HHS-ED funds from discriminating against health care entities that do not provide or pay for abortions or abortion services. The FY2006 through FY2010 L-HHS-ED appropriations retained the Weldon amendment language and the Hyde restrictions. The current provisions can be found in §507 and §508 of P.L. 111-117, Division D. For additional information, please see CRS Report RL33467, *Abortion: Legislative Response*, by Jon O. Shimabukuro.

Human Embryonic Stem Cell Research: Funding Restrictions

On March 9, 2009, President Barack Obama signed an executive order that reversed the nearly eight-year-old Bush Administration restriction on federal funding for human embryonic stem cell research. Research using human embryonic stem cells raises ethical issues for some because embryos are destroyed in order to obtain embryonic stem cells. The Obama decision directed NIH to issue new guidelines for the conduct of embryonic stem cell research. Draft guidelines were released on April 23, 2009, and final guidelines were issued on July 6, 2009. In December 2009, NIH created a new registry of human embryonic stem cell lines that are eligible for use in research supported by federal funds under the 2009 guidelines. As of February 1, 2010, a total of 43 stem cell lines were listed in the new registry. Under the Bush Administration, only 21 cell lines were available for use in federally funded research.

In 1996, Congress prohibited NIH from using appropriated funds to create human embryos for research purposes or for research in which human embryos are destroyed (P.L. 104-99, §128). Since FY1997, annual appropriations acts have extended the prohibition to all L-HHS-ED funds, with NIH as the agency primarily affected. The restriction, popularly referred to as the “Dickey Amendment,” has not changed significantly since it was first enacted. The current provision is found in §509 of P.L. 111-117, Division D. For additional information, please see CRS Report

RL33540, *Stem Cell Research: Federal Research Funding and Oversight*, by Judith A. Johnson and Erin D. Williams.

Detailed Appropriations Table

Table 9 shows the appropriations details for offices and major programs of HHS.

Table 9. Detailed Department of Health and Human Services Appropriations

(\$ in millions)

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Public Health Service (PHS)							
Health Resources and Services Administration (HRSA)							
Community Health Centers	2,190	2,000	4,190	2,190	2,190	2,190	2,190
National Health Service Corps	135	300	435	169	142	142	142
Health Professions, Nursing	171	42	213	263	263	217	244
Health Professions, other	222	106	328	265	266	243	254
Children's Hospitals Graduate Medical Education	310	0	310	310	320	315	318
Maternal & Child Health Block Grant	662	0	662	662	665	662	662
Autism and Other Developmental Disorders	42	0	42	48	48	48	48
Ryan White AIDS Programs	2,213	0	2,213	2,267	2,267	2,248	2,266
Rural Health Programs	149	0	149	125	130	168	164
Family Planning (Title X)	307	0	307	317	317	317	317
Health Care-Related Facilities & Activities	310	0	310	0	179	157	338
Vaccine Injury Compensation Trust Fund (mandatory)	113	0	113	116	116	116	116
HRSA, other	531	52	582	524	527	545	540
<i>HRSA subtotal</i>	7,356	2,500	9,856	7,257	7,432	7,369	7,599
Centers for Disease Control and Prevention (CDC)							
Infectious Diseases	1,935	340	2,275	2,007	2,017	1,969	1,996
Health Promotion	1,020	0	1,020	1,038	1,052	1,091	1,075

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Energy Employees Occupational Illness Compensation Program (mandatory) ^a	55	0	55	55	55	55	55
Terrorism Preparedness and Response	1,515	0	1,515	1,547	1,547	1,551	1,549
Preventive Health and Health Services Block Grant	102	0	102	102	102	102	102
CDC Buildings and Facilities	152	0	152	30	30	108	69
CDC, other	1,560	0	1,560	1,589	1,566	1,912	1,599
<i>CDC subtotal^b</i>	6,339	340	6,679	6,368	6,369	6,789	6,446
National Institutes of Health (NIH)							
National Institutes of Health ^b	30,317	10,400	40,717	30,759	31,259	30,759	31,009
Substance Abuse and Mental Health Services Administration (SAMHSA)							
Mental Health	948	0	948	965	987	967	984
<i>(Mental Health Block Grant, non-add)</i>	400	0	400	400	400	400	400
Substance Abuse Treatment	2,105	0	2,105	2,151	2,152	2,182	2,165
<i>(Substance Abuse Block Grant, non-add)</i>	1,699	0	1,699	1,699	1,699	1,739	1,719
Substance Abuse Prevention	201	0	201	198	200	200	202
SAMHSA, other	81	0	81	80	80	80	80
<i>SAMHSA subtotal</i>	3,335	0	3,335	3,394	3,419	3,430	3,432
Agency for Healthcare Research and Quality (AHRQ)							
AHRQ Appropriation	0	700	700	0	0	0	0
<i>Evaluation Tap funding (non-add)</i>	372	0	372	372	372	372	397
<i>AHRQ program level (non-add)</i>	372	700	1,072	372	372	372	397
<i>PHS subtotal</i>	47,346	13,940	61,286	47,778	48,480	48,346	48,485

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Centers for Medicare and Medicaid Services (CMS)							
Medicaid Grants to States (mandatory)	261,555	0	261,555	307,752	307,752	307,752	307,752
Payments to Health Care Trust Funds (mandatory)	197,744	0	197,744	207,231	207,296	207,231	207,286
CMS Program Management	3,305	10	3,315	3,466	3,463	3,432	3,470
Fraud and Abuse Control initiative	198	0	198	311	311	311	311
<i>CMS subtotal</i>	462,802	10	462,812	518,759	518,822	518,725	518,819
Administration for Children and Families (ACF)							
Family Support Payments (mandatory)	4,317	0	4,317	4,672	4,672	4,672	4,672
Low Income Home Energy Assistance Program (LIHEAP)	5,100 ^c	0	5,100	3,200	5,100	5,100	5,100
Refugee and Entrant Assistance (includes FY2009 supplement) ^d	633	0	715	741	715	731	731
Child Care and Development Block Grant (CCDBG)	2,127	2,000	4,127	2,127	2,127	2,127	2,127
Social Services Block Grant (SSBG) (Title XX) (mandatory) ^e	1,700	0	1,700	1,700	1,700	1,700	1,700
Head Start	7,113	2,100	9,213	7,235	7,235	7,235	7,235
Child Welfare Services	282	0	282	282	282	282	282
Developmental Disabilities	184	0	184	184	186	188	187
Community Services Block Grant	700	1,000	1,700	700	700	700	700
Battered Women's Shelters	128	0	128	128	134	128	130
Community-based Abstinence Education ^f	95	0	95	0	0	0	0
Children and Family Services, other	800	50	850	821	790	778	781
Promoting Safe and Stable Families (PSSF) (mandatory)	345	0	345	345	345	345	345

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
PSSF (discretionary)	63	0	63	63	63	63	63
Foster Care and Adoption Assistance (mandatory)	7,209	0	7,209	7,382	7,382	7,382	7,382
<i>ACF subtotal</i>	30,796	5,150	36,028	29,689	31,541	31,430	31,434
Administration on Aging (AOA)							
Administration on Aging	1,494	100	1,594	1,494	1,531	1,495	1,516
Office of the Secretary							
General Departmental Management	393	0	393	517	512	484	499
<i>Teen Pregnancy Prevention (non-add)^f</i>	0	0	0	110	110	100	110
Office of the National Coordinator for Health Information Technology	44	2,000	2,044	42	0	42	42
Medical Benefits, Commissioned Officers (mandatory)	435	0	435	475	475	475	475
Public Health and Social Services Emergency Fund (PHSSEF) (includes FY2009 supplement) ^d	1,398	50	9,098	2,679	2,101	2,621	2,307
<i>Office of the Assistant Secretary for Preparedness and Response (non-add)</i>	788	0	788	2,155	1,645	2,140	1,838
<i>BioShield Special Reserve Fund (transfer from DHS) (non-add)</i>	0	0	0	1,264	764	1,264	960
<i>Pandemic Influenza Preparedness (incl. FY2009 supplement)(non-add)^d</i>	585	0	8,235	354	354	354	354
<i>PHSSEF, other (non-add)</i>	25	50	75	169	102	127	114
Prevention and Wellness Fund	0	650	650	0	0	0	0
Office of the Secretary, other	150	17	167	163	163	163	163
<i>Office of the Secretary subtotal</i>	2,419	2,717	12,786	3,875	3,250	3,784	3,485
TOTALS, DEPARTMENT OF HEALTH AND HUMAN SERVICES							
Total Appropriations^g	544,858	21,917	574,507	601,485	603,514	603,781	603,740
Current Year Funding	470,358	21,917	500,007	511,746	513,774	514,042	514,001

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
One-Year Advance Funding	74,500	0	74,500	89,739	89,739	89,739	89,739

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). FY2009 Comparable column also includes FY2009 funding for LIHEAP provided by P.L. 110-329 (September 2008) (see note c below). FY2009 Total column also includes supplemental funding for Refugee Assistance and for Pandemic Influenza Preparedness provided by P.L. 111-32 (June 2009) (see note d below). Details may not add to totals due to rounding.

- a. Before FY2009, EEOICPA administrative and statutory activities were funded through DOL, with some of the funding transferred to CDC by interagency agreement. Starting in FY2009, CDC received direct appropriations (mandatory) for the activities; Part B administrative expenses remained in DOL.
- b. Two HHS agencies received additional funds from Interior-Environment appropriations—CDC, \$74 million for FY2009 and \$77 million for FY2010, and NIH, \$78 million for FY2009 and \$79 million for FY2010. The amounts are not included in this table.
- c. LIHEAP received no funding in the FY2009 Omnibus Appropriations Act because the FY2009 Continuing Appropriations Resolution (Division A of P.L. 110-329, enacted September 30, 2008) had provided full-year funding of \$5,100 million for the program. The FY2009 Comparable and FY2009 Total columns throughout this report include the LIHEAP funding where appropriate.
- d. The FY2009 Total column includes funding for two HHS programs that received FY2009 funding in June 2009 from the Supplemental Appropriations Act, 2009 (P.L. 111-32). The Refugee and Entrant Assistance program received \$82 million for Unaccompanied Minors, and the Public Health and Social Services Emergency Fund received \$7,650 million for Pandemic Influenza Preparedness, to remain available until expended.
- e. The Disaster Relief and Recovery Supplemental Appropriations Act, 2008 (Division B of P.L. 110-329), provided FY2008 emergency supplemental appropriations of \$600 million for the Social Services Block Grant, to remain available through FY2009. The amount is not reflected in the tables in this report.
- f. No FY2010 funding was requested for the Community-Based Abstinence Education program in ACF. Instead, \$110 million was requested in ACF for a new Teenage Pregnancy Prevention initiative. The House approved the proposal as requested. The Senate committee agreed to elimination of the ACF abstinence education program, but placed a new \$100 million Teen Pregnancy Prevention program in the Office of the Secretary, to be administered by a newly established Office of Adolescent Health. The conference agreement adopted the Senate approach, providing \$110 million to the Office of the Secretary for the new initiative. This table shows all FY2010 amounts in the Office of the Secretary within the General Departmental Management account.
- g. Appropriations totals include discretionary and mandatory funds, and may be subject to additional scorekeeping and other adjustments. Two HHS agencies were funded through other appropriations: the Food and Drug Administration (FDA) in Agriculture appropriations (\$2.1 billion in FY2009 and \$2.4 billion in FY2010), and the Indian Health Service (IHS) in Interior-Environment appropriations (\$3.6 billion in FY2009 and \$4.1 billion in FY2010). Neither agency is included in this table.

Department of Education

FY2009 discretionary appropriations for the Department of Education (ED) equaled \$63,533 million. For FY2010, the Obama Administration requested \$64,692 million, \$1,159 million (1.8%) more than the FY2009 amount, as shown in **Table 10**. As passed by the House, H.R. 3293 included \$64,674 million in discretionary funding, an increase of \$1,141 million (1.8%) over FY2009. The Senate Appropriations Committee recommended \$63,962 million in discretionary funding, \$713 million less than approved by the House, and an increase of \$428 million (0.7%) over FY2009. The FY2010 conference agreement, as enacted in P.L. 111-117, provided discretionary funding of \$64,278 million, an increase of \$744 million (1.2%) over FY2009.

Table 10. Department of Education Discretionary Appropriations

(\$ in billions)

Funding	FY2009 Comparabl e	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Senate Comm.	FY2010 Enacted
Appropriations	63.5	96.2	159.8	64.7	64.7	64.0	64.3

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). Appropriations are given only for programs included in the annual L-HHS-ED bill. Amounts represent discretionary spending funded by L-HHS-ED appropriations; funds for mandatory programs are excluded.

A single mandatory ED program is included in the L-HHS-ED bill, the Vocational Rehabilitation State Grants program. It was provided funding of \$3.1 billion in FY2010.

Highlights

The following are some highlights for ED of President Obama's FY2010 budget request, the House bill, the Senate Appropriations Committee's recommendations, and the conference agreement, as enacted in P.L. 111-117. See **Table 11** for details. All comparisons of funding levels with FY2009 appropriations are based on FY2009 regular appropriations only.

The President's FY2010 budget requested increased funding for several programs, and several new education programs were proposed. While President Obama's budget requested an increase in discretionary funding for education of \$1.1 billion over the FY2009 funding level, it proposed eliminating funding for 12 existing programs.

- The President's budget proposed adopting two new early childhood initiatives. Funding of \$500 million was requested for Early Childhood Grants, intended to encourage local educational agencies (LEAs) to use Title I-A funding to implement or expand high-quality early childhood education programs. An additional \$300 million was requested for The Early Learning Challenge Fund, intended to provide competitive grants to states to improve the standards and quality of early learning programs serving children from birth to age five. Neither the House nor the Senate Committee on Appropriations recommended funding for Early Childhood Grants or for the Early Learning Challenge Fund. No

funding was provided for these programs in the conference agreement, as enacted in P.L. 111-117.

- The Administration also recommended funding for four new smaller programs in FY2010—a Promise Neighborhoods Initiative at \$10 million, a Teach for America Initiative at \$15 million, a High School Graduation Initiative at \$50 million, and a Gulf Coast Recovery Initiative at \$30 million. Both the House and the Senate Appropriations Committee recommended funding the Promise Neighborhoods Initiative at \$10 million in FY2010. The House recommended providing up to \$15 million for the proposed Teach for America Initiative; the Senate Committee on Appropriations recommended \$20 million for the initiative. Both the House and the Senate Committee on Appropriations supported funding the High School Graduation Initiative at the Administration’s proposed funding level of \$50 million. The Senate Committee recommended \$30 million for the Gulf Coast Recovery Initiative; the House did not recommend funding for the initiative. The conference agreement, as enacted in P.L. 111-117, provided \$18 million for Teach for America and \$50 million for the High School Graduation Initiative. Within the Fund for the Improvement of Education account, it included \$10 million for Promise Neighborhoods and \$12 million for competitive grants to Gulf Coast schools.
- The budget proposal recommended funding Title I-A grants at \$13.0 billion for FY2010, a decrease of \$1.5 billion from FY2009 appropriations. The House recommended level funding of \$14.5 billion and the Senate Committee on Appropriations recommended funding of \$13.8 billion. The conference agreement, as enacted in P.L. 111-117, provided \$14.5 billion for Title I-A grants.
- The budget request for Title I School Improvement Grants was for \$1.5 billion for FY2010, an increase of \$1 billion over FY2009. Both the House and the Senate Committee on Appropriations recommended FY2010 funding for the program at \$546 million. The conference agreement, as enacted in P.L. 111-117, provided \$546 million for School Improvement Grants in FY2010.
- The budget proposal requested funding for an expanded Striving Readers program of \$370 million for FY2010, \$335 million more than FY2009 funding. The House recommended funding the Striving Readers program at \$146 million for FY2010. The Senate Committee on Appropriations recommended funding of \$263 million; its Striving Readers proposal would have eliminated the Early Reading First Program as a separate program, instead incorporating it into the Striving Readers Program. The conference agreement, as enacted in P.L. 111-117, eliminated Early Reading First as a separate program; it increased the funding for the Striving Readers program to \$250 million and expanded it to cover children from birth through high school.
- The budget proposal requested \$487 million in FY2010 funding for the Teacher Incentive Fund, an increase of \$390 million over FY2009. The House recommended funding the Teacher Incentive Fund at \$446 million for FY2010; the Senate Committee on Appropriations recommended funding of \$300 million. The conference agreement, as enacted in P.L. 111-117, provided \$400 million for the program in FY2010.
- The Administration proposed making all Pell Grant funding mandatory in FY2010, with a maximum award of \$5,550. For FY2009, the maximum total grant award was \$5,350, consisting of a maximum award from discretionary

funds of \$4,860 and a maximum award from mandatory funds of \$490.¹ The FY2010 House bill and the Senate Appropriations Committee recommendation did not accept the proposal to make all Pell Grant funding mandatory. Under both versions of H.R. 3293, the maximum Pell Grant would have equaled \$4,860 in discretionary funding plus a maximum of \$690 in mandatory funding for a maximum total award of \$5,550. Using the congressional assumption that the Pell Grant program would continue to have discretionary funding, the budget proposal would have supported discretionary funding of \$17.5 billion in FY2010, an increase of \$207 million over FY2009. (If the program were to have become mandatory, discretionary funding would have equaled zero.) The House would have provided \$17.8 billion in discretionary funding for FY2010; the Senate committee would have funded the program at \$17.5 billion. The conference agreement, as enacted in P.L. 111-117, continued the Pell Grant program as a discretionary program with funding of \$17.5 billion for FY2010.

- A number of programs were proposed for elimination. The largest program proposed for elimination was the Safe and Drug Free Schools and Communities Act State Grants program, funded at \$295 million in FY2009. Both the House and the Senate Committee on Appropriations concurred with the recommendation to eliminate this program. The Even Start program was among the other programs proposed for elimination in the budget request. The House recommended continuing the program in FY2010 at level funding of \$66 million; the Senate committee recommended no funding for the program in FY2010. As in FY2009, no funding was requested for the Reading First Program; the House and the Senate Appropriations Committee concurred. The conference agreement, as enacted in P.L. 111-117, provided FY2010 funding of \$66 million for the Even Start program, but no funding for either the Safe and Drug Free Schools and Communities Act State Grants program or for the Reading First program.²

ARRA provided an additional \$98.2 billion in discretionary funding for FY2009. The Department has established an ARRA website that provides detailed guidance. See <http://www.ed.gov/policy/gen/leg/recovery/index.html>.

Department of Education budget materials may be found at <http://www2.ed.gov/about/overview/budget/index.html>.

Detailed Appropriations Table

Table 11 shows the appropriations details for offices and major programs of ED.

¹ The College Cost Reduction and Access Act (P.L. 110-84) amended the Higher Education Act of 1965 to supplement the maximum appropriated Pell Grant with mandatory funding beginning in FY2008. The law set the additional amount at \$490 for FY2009 and \$690 for FY2010.

² Other programs proposed for elimination included Character Education; Civic Education; Close-Up Fellowships; College Access Challenge Grants; Academies for American History and Civics; Foundations for Learning; Javits Gifted and Talented Education Program; National Institute for Literacy; Ready to Teach; and Student Mentoring. Of these programs, three were eliminated—Character Education, National Institute for Literacy, and Student Mentoring.

Table 11. Detailed Department of Education Appropriations

(\$ in millions)

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
<i>No Child Left Behind Act (non-add)^a</i>	24,954	14,020	38,974	25,612	25,136	24,926	25,105
Education for the Disadvantaged							
Title I, Part A Education for the Disadvantaged, Grants to LEAs	14,492	10,000	24,492	12,992	14,492	13,792	14,492
Even Start	66	0	66	0	66	0	66
School Improvement Grants	546	3,000	3,546	1,546	546	546	546
Reading First State Grants	0	0	0	0	0	0	0
Migrant Education State Grants	395	0	395	395	395	395	395
Education for the Disadvantaged, other	261	0	261	1,498	439	1,158	415
<i>Education for the Disadvantaged subtotal</i>	15,760	13,000	28,760	16,431	15,938	15,891	15,915
Impact Aid							
Impact Aid	1,266	100	1,366	1,266	1,291	1,266	1,276
School Improvement Programs							
Teacher Quality State Grants	2,948	0	2,948	2,948	2,948	2,948	2,948
Mathematics and Science Partnerships	179	0	179	179	184	179	180
Educational Technology State Grants	270	650	920	100	100	100	100
21 st Century Community Learning Centers ^a	1,131	0	1,131	1,131	1,181	1,131	1,166
State Assessments	411	0	411	411	411	411	411
Rural Education	173	0	173	173	173	178	175
School Improvement, other	250	70	320	240	248	250	248
<i>School Improvement subtotal</i>	5,362	720	6,082	5,182	5,245	5,197	5,228

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Indian Education							
Indian Education	122	0	122	122	132	122	127
Innovation and Improvement							
Charter School Grants	216	0	216	268	256	256	256
Fund for the Improvement of Education: Programs of National Significance (FIE)	235	0	235	199	197	210	272
Teacher Incentive Fund	97	200	297	487	446	300	400
Innovation and Improvement, other	448	0	448	486	449	469	461
<i>Innovation and Improvement subtotal</i>	996	200	1,196	1,440	1,347	1,235	1,389
State Fiscal Stabilization Fund							
State Fiscal Stabilization Fund	0	53,600	53,600	100	3	0	0
Safe Schools and Citizenship Education							
Safe and Drug-Free Schools State Grants	295	0	295	0	0	0	0
Safe Schools and Citizenship, other	396	0	396	414	396	438	393
<i>Safe Schools and Citizenship subtotal</i>	690	0	690	414	396	438	393
English Language Acquisition							
English Language Acquisition State Grants	730	0	730	730	760	750	750
Special Education							
IDEA, Part B, Grants to States	11,505	11,300	22,805	11,505	11,505	11,505	11,505
Special Education, other	1,074	900	1,974	1,074	1,074	1,083	1,082
<i>Special Education subtotal</i>	12,580	12,200	24,780	12,580	12,580	12,588	12,588
Rehabilitation Services and Disability Research							
Vocational Rehabilitation State Grants (mandatory)	2,975	540	3,515	3,085	3,085	3,085	3,085

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Rehabilitation Services, other	413	140	553	416	420	423	422
<i>Rehabilitation Services subtotal</i>	3,388	680	4,068	3,501	3,504	3,507	3,507
Special Institutions for Persons with Disabilities							
Special Institutions for Persons With Disabilities	211	0	211	211	211	219	216
Career and Adult Education							
Perkins Career and Technical Education	1,272	0	1,272	1,272	1,272	1,272	1,272
Adult Education	567	0	567	642	640	642	640
Career and Adult Education, other	105	0	105	105	105	105	105
<i>Career and Adult Education subtotal</i>	1,944	0	1,944	2,018	2,016	2,018	2,016
Student Financial Assistance							
<i>Pell Grants, maximum appropriated award (in dollars, non-add)</i>	4,860	4,860	4,860	4,860 ^b	4,860	4,860	4,860
Pell Grants	17,288	15,640	32,928	17,495 ^c	17,783	17,495	17,495
Supplemental Educational Opportunity Grants	757	0	757	757	757	757	757
Federal Work-Study	980	200	1,180	980	980	980	980
Federal Perkins Loans	67	0	67	0	50	0	0
Leveraging Educational Assistance Partnership (LEAP)	64	0	64	64	64	64	64
<i>Student Financial Assistance subtotal</i>	19,157	15,840	34,997	19,297	19,635	19,297	19,297
Student Aid Administration							
Student Aid Administration	753	60	813	870	870	870	870
Higher Education							
Aid for Institutional Development	507	0	507	543	653	543	603

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Fund for the Improvement of Postsecondary Education (FIPSE)	134	0	134	47	135	86	159
TRIO Programs	848	0	848	848	868	848	853
GEAR UP	313	0	313	313	333	313	323
Higher Education, other	299	100	398	299	306	317	317
<i>Higher Education subtotal</i>	2,100	100	2,200	2,050	2,295	2,107	2,256
Howard University							
Howard University	235	0	235	235	235	235	235
Institute of Education Sciences							
Institute of Education Sciences	617	250	867	689	664	679	659
Departmental Management							
Departmental Management	585	14	599	620	615	615	619
Department of Education, other^d							
Department of Education, other	11	0	11	21	21	11	21
Pell Grants (mandatory)							
Pell Grants (mandatory)	0	1,474	1,474	0	0	0	0
TOTALS, DEPARTMENT OF EDUCATION							
Total Appropriations^e	66,508	98,238	164,746	67,777	67,759	67,046	67,362
Current Year Funding	44,602	98,238	142,840	45,871	45,853	45,140	45,456
One-Year Advance Funding	21,906	0	21,906	21,906	21,906	21,906	21,906

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). Appropriations are given only for programs included in the annual L-HHS-ED bill. Details may not add to totals due to rounding.

- a. The NCLB total reported in this table does not match the NCLB total reported by ED. ED only includes in its total programs that are authorized specifically by ESEA, as amended by the NCLBA, while the House and Senate include funding for the Education for Homeless Children and Youth, and Comprehensive Centers in their NCLB total. The former is authorized by the McKinney-Vento Homeless Assistance Act, and the latter is authorized by the Educational Technical Assistance Act. While both acts were amended by the NCLB (P.L. 107-110), none of the funding for either of the two programs is authorized by the NCLB.

- b. The Administration proposed making the Pell Grant program mandatory, and as a consequence it no longer separated mandatory funding from discretionary funding. If the program had been made completely mandatory, the Administration's proposed maximum Pell grant for FY2010 would have been \$5,500. For this table, for consistency, we use the House and Senate Appropriations Committee assumptions that the program would continue to have discretionary funding (along with mandatory funding appropriated in the College Cost Reduction and Access Act, P.L. 110-84).
- c. For Pell Grant funding, the FY2010 budget request amount in this table is the amount displayed in the House Appropriations Committee table, reflecting the "current law baseline score" from the Congressional Budget Office. It differs from ED's total for the Pell Grant request, which reflected the Administration's FY2010 proposal to make Pell Grant funding mandatory. The House table assumed the continuation of discretionary funding.
- d. "Department of Education, other" includes funding for two programs: College Housing and Academic Facilities Loans, and the Historically Black Colleges and Universities Capital Financing program.
- e. Appropriations totals include discretionary and mandatory funds, and are subject to additional scorekeeping and other adjustments.

Related Agencies

FY2009 discretionary appropriations for Related Agencies were \$12,748 million. For FY2010, the Obama Administration requested \$14,028 million, \$1,280 million (10.0%) more than the FY2009 amount, as shown in **Table 12**. H.R. 3293, as passed by the House, included \$13,989 million in discretionary funding, an increase of \$1,240 million (9.7%) over FY2009. The Senate Appropriations Committee recommended \$14,067 million in discretionary funding, \$79 million more than approved by the House, and an increase of \$1,319 million (10.3%) over FY2009. The FY2010 conference agreement, as enacted in P.L. 111-117, provided discretionary appropriations of \$14,076 million, an increase of \$1,328 million (10.4%) over FY2009.

Table 12. Related Agencies Discretionary Appropriations

(\$ in billions)

Funding	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Senate Comm.	FY2010 Enacted
Appropriations	12.7	1.2	14.0	14.0	14.0	14.0	14.1

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). Appropriations are given only for programs included in the annual L-HHS-ED bill. Amounts represent discretionary spending funded by L-HHS-ED appropriations; funds for mandatory programs are excluded.

Mandatory programs for Related Agencies included in the L-HHS-ED bill were funded at \$47.3 billion for FY2010, virtually all of it for the Supplemental Security Income (SSI) program.

Highlights

The following are some highlights for Related Agencies of President Obama's FY2010 budget request, the House bill, the Senate Appropriations Committee's recommendations, and the conference agreement, as enacted in P.L. 111-117. See **Table 13** for details. All comparisons of funding levels with FY2009 appropriations are based on FY2009 regular appropriations only.

- The Administration requested \$11,447 million for SSA administrative expenses for FY2010, an increase of \$993 million (9.5%) over FY2009. Both the House and the Senate Appropriations Committee agreed to the President's request. The conference agreement also approved the President's request.
- The President requested \$539 million for National and Community Service Programs (NCSP), an increase of \$172 million. The request for NCSP included \$373 million for AmeriCorps State and National Grants, an increase of \$105 million (39.0%). The House approved an increase of \$106 million for NCSP, including a \$64 million increase for AmeriCorps grants. The Senate Appropriations Committee recommended a \$176 million increase for NCSP, including \$105 million more for AmeriCorps. The conference agreement provided \$537 million for NCSP, an increase of \$170 million (46.4%). The agreement approved \$373 million for AmeriCorps, the same as the President's request.

- The President asked for \$196 million for the National Service Trust, an increase of \$61 million over the \$135 million provided for FY2009. The House agreed to increase funding by \$43 million. The Senate Committee recommended an increase of \$62 million. The conference agreement followed the Senate committee recommendation of \$197 million, an increase of \$62 million (6.0%) over FY2009.
- The President requested, and both the House and the Senate committee approved, a \$21 million (7.9%) increase in funding for the National Labor Relations Board (NLRB). The NLRB received \$263 million for FY2009. The conference agreement approved the President's request.

The ARRA provided an additional \$1.2 billion in discretionary funding for Related Agencies in FY2009, a portion of which will be obligated in FY2010. Both SSA and NCSP have developed implementation plans for spending the money. The plans for SSA and NCSP are available at <http://www.ssa.gov/recovery> and <http://www.nationalservice.gov/about/recovery/index.asp>, respectively.

Detailed Appropriations Table

Table 13 shows the appropriations details for offices and major programs of the L-HHS-ED Related Agencies.

Table 13. Detailed Related Agencies Appropriations

(\$ in millions)

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
Committee for Purchase from People Who Are Blind or Severely Disabled	5	0	5	5	5	5	5
Corporation for National and Community Service (CNCS)							
CNCS Domestic Volunteer Service Programs (DVSP)							
Volunteers in Service to America (VISTA)	96	65	161	98	98	100	99
National Senior Volunteer Corps	214	0	214	221	221	221	221
<i>DVSP subtotal</i>	310	65	375	319	319	321	320
CNCS National and Community Service Programs (NCSP)							
AmeriCorps Grants	268	89	357	373	332	373	373
National Civilian Community Corps	28	0	28	26	26	29	29
NCSP, other	71	0	71	140	116	142	136
<i>NCSP subtotal</i>	367	89	456	539	473	543	537
National Service Trust	135	40	175	196	178	197	197
CNCS, other	78	7	85	96	89	96	96
<i>CNCS subtotal</i>	890	201	1,091	1,149	1,059	1,157	1,150
Corporation for Public Broadcasting (CPB)							
CPB, two-year advance for FY2011 (current request) with FY2010 comparable	430	0	430	440	440	450	445
<i>CPB advance for FY2010 with FY2009 comparable (non-add)</i>	420	0	420	430	430	430	430
<i>CPB advance for FY2009 with FY2008 comparable (non-add)</i>	400	0	400	420	420	420	420
CPB Digitalization Program	35	0	35	36	76	46	61

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
CPB Interconnection	27	0	27	25	25	25	25
<i>CPB FY2008/FY2009 subtotal</i>	61	0	61	61	101	71	86
Federal Mediation and Conciliation Service	45	0	45	46	47	46	47
Federal Mine Safety and Health Review Committee	9	0	9	10	10	11	10
Institute of Museum and Library Services (IMLS)	275	0	275	266	276	275	282
Medicare Payment Advisory Commission	11	0	11	12	12	12	12
National Council on Disability	3	0	3	3	3	3	3
National Labor Relations Board	263	0	263	283	283	283	283
National Mediation Board	13	0	13	13	13	14	13
Occupational Safety and Health Review Commission	11	0	11	12	12	12	12
Railroad Retirement Board	180	0	180	178	178	178	178
Social Security Administration (SSA)^a							
SSA Payments to Social Security Trust Funds (mandatory)	20	0	20	20	20	20	20
Supplemental Security Income (SSI) (mandatory)	42,665	0	42,665	47,300	47,300	47,300	47,300
SSI Administrative Expenses	3,207	1,000	4,207	3,442	3,442	3,442	3,442
<i>SSA SSI subtotal</i>	45,872	1,000	46,872	50,742	50,742	50,742	50,742
Social Security and Medicare Administrative Expenses	7,247	0	7,247	8,005	8,005	8,005	8,005
<i>Total SSA Administrative Expenses (non-add)</i>	10,454	1,000	11,454	11,447	11,447	11,447	11,447
SSA Office of Inspector General	98	2	100	103	103	103	103
<i>SSA subtotal</i>	53,237	1,002	54,239	58,870	58,870	58,870	58,870

Office or Major Program	FY2009 Comparable	FY2009 ARRA	FY2009 Total	FY2010 Request	FY2010 House	FY2010 Sen. Comm.	FY2010 Enacted
TOTALS, RELATED AGENCIES							
Total Appropriations^b	55,434	1,203	56,637	61,349	61,309	61,388	61,397
Current Year Funding	39,604	1,203	40,807	44,909	44,869	44,938	44,952
One-Year Advance Funding	15,400	0	15,400	16,000	16,000	16,000	16,000
Two-Year Advance Funding	430	0	430	440	440	450	445

Sources: Amounts are based on the December 9, 2009, table from the House Committee on Appropriations and the conference report table in H.Rept. 111-366, Division D. For FY2009 appropriations, amounts reflect enactment of P.L. 111-8 (FY2009 Omnibus Appropriations) and P.L. 111-5 (ARRA). For FY2010, amounts reflect the President's request, House passage of H.R. 3293, Senate committee recommendations on H.R. 3293, and enactment of the Consolidated Appropriations Act, 2010 (P.L. 111-117, H.R. 3288). Appropriations are given only for programs included in the annual L-HHS-ED bill. Details may not add to totals due to rounding.

- a. The Social Security trust funds are considered off-budget, but the Supplemental Security Income (SSI) program, SSA administrative expenses, and certain related SSA activities are included in appropriations for L-HHS-ED and Related Agencies.
- b. Appropriations totals include discretionary and mandatory spending, and are subject to additional scorekeeping and other adjustments.

Appendix. Terminology and Web Resources

The following items include some of the key budget terms used in this report; they are based on CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith and Allen Schick. The websites provide general information on the federal budget and appropriations.

Advance appropriation is budget authority that will become available in a fiscal year beyond the fiscal year for which the appropriations act is enacted; scorekeeping counts the entire amount in the fiscal year it first becomes available for obligation.

Appropriation is budget authority that permits federal agencies to incur obligations and to make payments out of the Treasury for specified purposes. Appropriations represent the amounts that agencies may obligate during the period of time specified in the law. Annual appropriations are provided in appropriations acts; most permanent appropriations are provided in substantive law. Major types of appropriations are regular, supplemental, and continuing.

Budget authority is legal authority to incur financial obligations that normally result in the outlay of federal government funds. Major types of budget authority are appropriations, borrowing authority, and contract authority. Budget authority also includes the subsidy cost to the federal government of direct loans and loan guarantees, estimated on a net present value basis.

Budget resolution is a concurrent resolution passed by both chambers of Congress, but not requiring the signature of the President, setting forth the congressional budget for at least five fiscal years. It includes various budget totals and functional allocations.

Discretionary spending is budget authority provided in annual appropriations acts, other than appropriated entitlements.

Entitlement authority is the authority to make payments to persons, businesses, or governments that meet the eligibility criteria established by law; as such, it represents a legally binding obligation on the part of the federal government. Entitlement authority may be funded by either annual or permanent appropriations acts.

Forward funding is budget authority that becomes available after the beginning of the fiscal year for which the appropriation is enacted and remains available into the next fiscal year; the entire amount is counted or scored in the fiscal year in which it first becomes available.

Mandatory (direct) spending is budget authority provided in laws other than annual appropriations acts, including appropriated entitlements.

Rescission is the cancellation of budget authority previously enacted.

Scorekeeping is a set of procedures for tracking and reporting on the status of congressional budgetary actions.

Supplemental appropriation is budget authority provided in an appropriations act that provides funds that are in addition to regular appropriations.

Websites

General information on budget and appropriations may be found at these websites. Specific L-HHS-ED agency sites are listed in relevant sections of this report.

House Committees

<http://appropriations.house.gov/>

<http://republicans.appropriations.house.gov/>

<http://budget.house.gov/>
<http://budget.house.gov/republicans/>

Senate Committees

<http://appropriations.senate.gov/>
<http://budget.senate.gov/democratic/>
<http://budget.senate.gov/republican/>

Congressional Budget Office (CBO)

<http://www.cbo.gov/>

Congressional Research Service (CRS)

<http://www.crs.gov/Pages/clis.aspx?cliid=73>

Government Accountability Office (GAO)

<http://www.gao.gov/>

Government Printing Office (GPO)

<http://www.gpoaccess.gov/usbudget/>

Office of Management and Budget (OMB)

<http://www.whitehouse.gov/omb/budget/Overview/>

Statements of Administration Policy (SAPs):

http://www.whitehouse.gov/omb/111/legislative_sap_date/

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Bioterrorism, HHS funding	Sarah A. Lister
Cancer research	Judith A. Johnson
Centers for Disease Control and Prevention (CDC)	Sarah A. Lister
Centers for Medicare and Medicaid Services (CMS)	Holly Sue Stockdale
Chafee Foster Care Independence Program	Adrienne L. Fernandes
Child abuse and neglect, child welfare	Emilie Stoltzfus
Child care and development	Karen E. Lynch
Children's Health Insurance Program (CHIP; funded in authorizing laws, not through L-HHS-ED)	Evelyne P. Baumrucker
Community Services Block Grant	Karen Spar
Developmental Disabilities Act	Scott Szymendera
Domestic violence	Garrine Laney
Family Planning, Title X	Angela Napili
Federal health centers	Barbara English
Foster care and adoption	Emilie Stoltzfus
Global health; international AIDS, TB, and malaria	Tiaji Salaam-Blyther
Head Start	Karen E. Lynch
Health professions/Health workforce programs	Bernice Reyes-Akinbileje
Health Resources and Services Administration (HRSA)	Bernice Reyes-Akinbileje
Immunization	Pamela W. Smith
Low-Income Home Energy Assistance Program (LIHEAP)	Libby Perl
Maternal and child health, general	Amalia K. Corby-Edwards

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Public Health Service	Pamela W. Smith
Randolph-Sheppard Act	Scott Szymendera
Refugee Resettlement Assistance	Andorra Bruno
Runaway and Homeless Youth Act	Adrienne L. Fernandes
Social Services Block Grant	Karen E. Lynch
Stem cell research, cloning	Judith A. Johnson Erin D. Williams
Substance Abuse and Mental Health Services Administration (SAMHSA)	C. Stephen Redhead
Temporary Assistance for Needy Families (TANF; funded in authorizing laws, not through L-HHS-ED)	Gene Falk
Department of Education (ED)	
ED appropriations coordinator	Gail McCallion
Adequate Yearly Progress (AYP) and accountability	Rebecca R. Skinner
Adult education and literacy	Gail McCallion
After-school programs	Gail McCallion
Assessment in education	Erin D. Caffrey
Career (vocational) and technical education	Cassandra Dortch
Charter schools/school choice	Rebecca R. Skinner
College costs and prices	Shannon Mahan
Education block grants	Rebecca R. Skinner
Education technology	Erin D. Caffrey
Elementary and secondary education	Rebecca R. Skinner
English language acquisition	Rebecca R. Skinner Cassandra Dortch
Higher education	David P. Smole Cassandra Dortch
Impact Aid	Jeffrey J. Kuenzi
Indian education	Cassandra Dortch
Pell Grants	Shannon Mahan

Reading programs	Gail McCallion
Rehabilitation Act	Scott Szymendera
Safe & Drug-Free Schools & Communities	Gail McCallion
Special education, IDEA	Ann Lordeman
Special education, IDEA, legal issues	Nancy Lee Jones
Student financial assistance/need analysis	David P. Smole Shannon Mahan
Student loans	David P. Smole
Teacher recruitment, preparation, & training	Jeffrey J. Kuenzi
Title I, Education for the Disadvantaged	Rebecca R. Skinner

Related Agencies	
Corp. for National & Community Service (VISTA, Senior Corps, AmeriCorps)	Ann Lordeman Abigail B. Rudman
Corporation for Public Broadcasting	Mark Gurevitz
Institute of Museum and Library Services	Gail McCallion Erin D. Caffrey
National Labor Relations Board	Gerald Mayer
Natl Labor Relations Board, legal issues	Jon O. Shimabukuro
Railroad Retirement Board	Scott Szymendera
Social Security Administration (SSA), administrative expenses	Christine Scott
Supplemental Security Income (SSI)	Scott Szymendera

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